

**** NOT FOR PRINTED PUBLICATION ****

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

BLAZE DANIEL HICKS	§	
VS.	§	CIVIL ACTION NO. 9:20cv144
BRYAN WEATHERFORD, SHERIFF	§	

ORDER ACCEPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Petitioner Blaze Daniel Hicks, an inmate confined in the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends that the petition be dismissed without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

On July 17, 2020, petitioner filed a motion to dismiss the petition. As the respondent has not been served, petitioner is entitled to dismiss the petition pursuant to Fed. R. Civ. P. 41(a). Accordingly, petitioner's motion to dismiss is granted, and the report should be accepted to the extent it recommended dismissal.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ACCEPTED** to the extent it recommended dismissal. A

final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

So ORDERED and SIGNED, Jul 29, 2020.

A handwritten signature in black ink, appearing to read "Ron Clark", written over a horizontal line.

Ron Clark
Senior Judge